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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,808	11/19/2003	Christopher J. Cookson	3053-068	9706

22440 7590 01/04/2007  
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NEW YORK, NY 100160601

EXAMINER
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PHAM, VAN T

ART UNIT	PAPER NUMBER
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2627

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/04/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/717,808

Applicant(s)

COOKSON ET AL.

Examiner

VAN T. PHAM

Art Unit

2627

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 November 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6, 8, 12, 15-18, 21 and 22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6, 8, 12, 15-18, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

*Response to Arguments*

1. Applicant's arguments filed 11/20/2006 have been considered but are moot in view of the new ground(s) of rejection.

*Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 4-6, 8, 12 and 15-18 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Hosoda et al. (US 5,754,508).

Regarding claim 1, Hosoda discloses an optical disc writer for writing data on a blank optical disc comprising: a controller receiving data to be recorded on the blank disc and generating two corresponding streams of data; a first write head receiving one stream of data; and a second write head receiving the other stream of data; said write heads writing said data on the first and second sides of a disc respectively without reversing the direction of rotation of the disc, said write heads cooperation to write data on said two sides in a pattern that defines several radial zones, each zone one side corresponding to a respective zone on the side, data in each zone being arranged to be read at a respective rotational speed of said disc (see abstract, Figs. 3-7, 11 and col. 2).

Regarding claim 2, see abstract, discloses the optical disc writer of claim 1 wherein said write heads write said data on the respective sides of the disc simultaneously.

Regarding claim 4, see Figs. 4 and 11, discloses the optical disc writer of claim 1 wherein the controller analyzes the data and arranges the data streams to synchronize data segments of one stream with data segments of the other stream and the write heads write data segments at respective portions of the blank disc (see col. 2 and abstract).

Regarding claim 5, see Figs. 3 and 11, discloses the optical disc writer of claim 4 wherein the controller synchronizes the segments such that related segments are written to corresponding zones of the two sides of the disc (col. 2 and abstract).

Regarding claim 6, see Figs. 1-2, discloses the optical disc writer of claim 5 wherein the corresponding zones are disposed at substantially similar radial distances from the disc hub.

Regarding claims 8, 16 see rejection above of claim 1.

Regarding claims 12, 17, see rejection above of claim 2.

Regarding claim 15, see Figs. 3 and 11, discloses the optical disc writer of claim 8 further comprising read members for reading data from the disc.

Regarding claims 18, see rejection above of claim 4.

Regarding claim 21, see Figs. 1-2 and abstract, discloses the method of claim 16 wherein the controller causes the write head to write data on the respective sides along two respective spirals that are mirror images of each other.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoda et al. (US 5,754,508) in view of the admitted art.

Regarding claim 3, Hosoda, see Figs. 3, 11, discloses the optical disc writer of claim 1 wherein the write heads write data on each side of the medium. However, Satoh does not disclose the medium each side has two layers.

The admitted art, see Fig. 1, discloses a double-sided multiple-layer optical disc having two data layers on each side and data on tracks A0 and A1 area read without changing the direction of the disk rotation.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to provide a double-sided multiple-layer optical disc having two data layers on each side in Hosoda as suggested by the admitted art, the motivation being in order to store more data (see the admitted art col. 1).

Regarding claim 22, see rejection above of claim 3.

#### ***Cited References***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The cited references relate to Method for reading and writing magnetic-optical media (US 6,256,267); method and apparatus for simultaneously recording information data on two recording surfaces of an optical disc at equal data states (Hosoda et al. US 5,754,508).

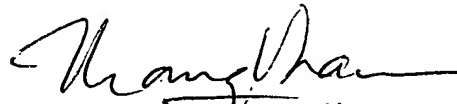
7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN T. PHAM whose telephone number is 571-272-7590. The examiner can normally be reached on Monday-Thursday from 9:00am-6:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young be reached on 571-272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VP

  
THANG V. TRAN  
PRIMARY EXAMINER